

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

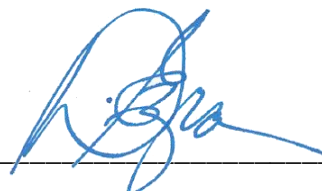
UNITED STATES OF AMERICA,	§	No. 1:23-CV-853-DAE
	§	
Plaintiff,	§	
	§	
vs.	§	
	§	
GREG ABBOTT, in his capacity as	§	
Governor of the State of Texas, and	§	
THE STATE OF TEXAS,	§	
	§	
Defendants.	§	
_____	§	

SECOND ADVISEMENT TO THE APPROPRIATE PANEL OF THE UNITED
STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT AND TO THE
PARTIES TO THIS LITIGATION

For the convenience of the appropriate Panel of the Fifth Circuit Court of Appeals, this Court hereby provides this advisement to notify the Panel that it has granted the unopposed motion to continue the trial in this matter scheduled for August 6, 2024. As noted in the attached order granting the continuance, this Court has continued the trial for an additional 30 days beyond the 60 days initially requested by the parties in order to give the Panel an opportunity to consider and rule on the writ of mandamus filed by the State of Texas and opposed by the United States, as well as allow the parties to prepare for trial in light of the Panel's decision.

As noted above, the Court's order is attached to this advisement
for the convenience of the Fifth Circuit Panel.

DATED: Austin, Texas, August 2, 2024

A handwritten signature in blue ink, appearing to read 'David Alan Ezra', is written over a horizontal line.

David Alan Ezra
Senior United States District Judge

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_____	§	

ORDER

The Court has before it an unopposed motion for a sixty-day stay of all district court proceedings and continuance of the trial in light of the en banc ruling of the Fifth Circuit Court of Appeals. (Dkt. # 201.) It is the Court's understanding that there may be some dispute between the parties as to the effect of that ruling, which the Court hopes to address at a status conference set for Tuesday, August 6, 2024, at the Austin Federal Courthouse. (Dkt. # 202.)

While the parties have requested a sixty-day continuance, this Court wishes to avoid placing the Panel for Fifth Circuit Court of Appeals in the same time crunch that Texas placed on this Court when the Emergency Motion for a Continuance or Stay of Trial was initially filed. (Dkt. # 200.) Therefore, this Court grants the motion to continue for a period of 90 days in order for the Fifth Circuit

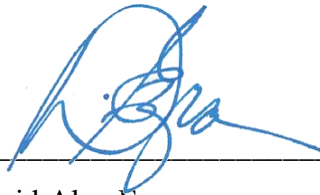
Panel to make its ruling on the pending mandamus and for the parties to adjust their trial preparation depending upon that order.

While this Court certainly does not presume anything, it is the hope that this may alleviate the need for the Fifth Circuit Panel to issue an administrative stay as the trial will not be going forward for a period of at least 90 days.

Therefore, the trial in this matter is hereby continued from August 6, 2024, to November 7, 2024.

IT IS SO ORDERED

DATED: Austin, Texas, August 2, 2024

A handwritten signature in blue ink, appearing to read 'D. Ezra', is written over a horizontal line.

David Alan Ezra
Senior United States District Judge